

ASSEMBLY BILL

No. 697

Introduced by Assembly Member Chu

February 25, 2015

An act to amend Section 1101.5 of the Civil Code, relating to water conservation.

LEGISLATIVE COUNSEL'S DIGEST

AB 697, as introduced, Chu. Water-conserving plumbing fixtures.

Existing law requires the replacement of plumbing fixtures that are not water conserving, as defined as noncompliant plumbing fixtures, in residential and commercial real property built and available for use on or before January 1, 1994, as specified.

This bill would make technical, nonsubstantive changes to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1101.5 of the Civil Code is amended to
2 read:
3 1101.5. (a) On or before January 1, 2019, all noncompliant
4 plumbing fixtures in ~~any~~ a multifamily residential real property
5 and in ~~any~~ a commercial real property shall be replaced with
6 water-conserving plumbing fixtures.
7 (b) An owner or the owner's agent may enter the owner's
8 property for the purpose of installing, repairing, testing, and

1 maintaining water-conserving plumbing fixtures required by this
2 section, consistent with *the* notice requirements of Section 1954.

3 (c) On and after January 1, 2019, the water-conserving plumbing
4 fixtures required by this section shall be operating at the
5 manufacturer's rated water consumption at the time that the tenant
6 takes possession. A tenant shall be responsible for notifying the
7 owner or owner's agent if the tenant becomes aware that a
8 water-conserving plumbing fixture within his or her unit is not
9 operating at the manufacturer's rated water consumption. The
10 owner or owner's agent shall correct an inoperability in a
11 water-conserving plumbing fixture upon notice by the tenant or if
12 detected by the owner or the owner's agent.

13 (d) (1) On and after January 1, 2014, all noncompliant plumbing
14 fixtures in ~~any~~ a multifamily residential real property and ~~any~~ in
15 a commercial real property shall be replaced with water-conserving
16 plumbing fixtures in the following circumstances:

17 (A) For building additions in which the sum of concurrent
18 building permits by the same permit applicant would increase the
19 floor area of the space in a building by more than 10 percent, the
20 building permit applicant shall replace all noncompliant plumbing
21 fixtures in the building.

22 (B) For building alterations or improvements in which the total
23 construction cost estimated in the building permit is greater than
24 one hundred fifty thousand dollars (\$150,000), the building permit
25 applicant shall replace all noncompliant plumbing fixtures that
26 service the specific area of the improvement.

27 (C) Notwithstanding subparagraph (A) or (B), for any alterations
28 or improvements to a room in a building that require a building
29 permit and that room contains any noncompliant plumbing fixtures,
30 the building permit applicant shall replace all noncompliant
31 plumbing fixtures in that room.

32 (2) Replacement of all noncompliant plumbing fixtures with
33 water-conserving plumbing fixtures, as described in paragraph (1),
34 shall be a condition for issuance of a certificate of final completion
35 and occupancy or final permit approval by the local building
36 department.

37 (e) On and after January 1, 2019, a seller or transferor of
38 multifamily residential real property or of commercial real property
39 shall disclose to the prospective purchaser or transferee, in writing,
40 the requirements of subdivision (a) and whether the property

- 1 includes any noncompliant plumbing fixtures. This disclosure may
- 2 be included in other transactional documents.

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